

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRENT OTTE,

Plaintiff,

v.

EQUIFAX INFORMATION
SERVICES, LLC.,

Defendant.

Case No. 18-10198

Honorable Nancy G. Edmunds

ORDER TRANSFERRING CASE

On February 6, 2018, the Court ordered Plaintiff to show cause why this case should not be dismissed for lack of proper venue or transferred to the United States District Court for the Western District of Michigan. 28 U.S.C. § 1391. The Court noted that Plaintiff's complaint alleges that he resides in Hamilton, Michigan, located in the Western District of Michigan, and that he filed for bankruptcy in the Western District of Michigan. On February 15, 2018, Plaintiff filed a response arguing that venue is proper in this district because Defendant resides in Michigan, given that Defendant conducts business throughout the state, including in the Eastern District of Michigan. Plaintiff also asserts that his choice of forum is entitled to deference. However, a plaintiff's choice of forum is given less weight if it is not the plaintiff's residence, or if the operative events giving rise to the claims occurred elsewhere. See, e.g., *Audi AG & Volkswagen of Am., Inc. v. D'Amato*, 341 F. Supp. 2d 734, 750 (E.D. Mich. 2004); *Mcintosh v. E-backgroundchecks.com, Inc.*, No. CIV.A. 5:12-310-DCR, 2013 WL 954281, at *2 (E.D. Ky. Mar. 11, 2013). Plaintiff does not reside in this district, and he has failed to show that any of the operative events giving rise

to his claims occurred in this district. Therefore, the Court exercises its wide discretion to transfer this case pursuant to 28 U.S.C. § 1404(a).

Accordingly, this case is TRANSFERRED to the Western District of Michigan.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: February 16, 2018

I hereby certify that a copy of the foregoing document was served upon counsel of record on February 16, 2018, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager